

WHO HAS MORAL RIGHT TO THIS CHILD—POOR MOTHER OR WELL-TO-DO RELATIVES?

BY JANE WHITAKER

Who has the moral right to a child—the mother who brought it into the world, though she may now be in very humble circumstances, or the would-be foster parents who are able to supply the child with every comfort and some luxuries?

Which should be given the greater consideration—the longing of mother love, sung through the ages as the greatest and purest and best of all love, or the future of the child which may be made brighter through the advantages it receives in childhood?

This is a problem in the chancery court in the case of Mrs. Annie Coppage of St. Louis, Mo., against Louis Leu and Charlotte Leu, 2409 W. 56th st., Chicago.

Mrs. Coppage, the mother of the child, married James Coppage in 1900, and has two children, Hazel, 14, and Odell, 12. She claims that in 1911 her husband deserted her, leaving her with almost no means of support and she was compelled to go to work to provide a very meager living for herself and two children.

In October, 1913, she says Mrs. Leu, an aunt of the children, offered to send Odell to school in Chicago and provide for the child until such time as the mother felt she could take better care of her, and it was the understanding that Odell should spend her holidays with her mother.

The first holiday came in June, 1914, and the mother waited for her baby girl to come home to her, but the entire summer was spent in an exchange of correspondence as to whether the child should be sent to St. Louis or the mother should come to Chicago and visit her, and it had not been settled when school opened again, so the mother did not see Odell.

In May, 1915, Mrs. Coppage says she was seriously ill with stomach and heart trouble and a telegram was

sent asking that Odell be brought to her mother immediately, but this was ignored. On May 22, 1915, the mother says she sent \$3.50 for the child's carfare out of the little money she earned, but still Odell was not returned to her.

In June, 1915, growing desperate for a sight of her baby, she asked her brother-in-law, Otto Gerken, to come to Chicago and get the child, but he was not able to obtain her from Mrs. Leu.

Then the mother borrowed money to come to Chicago and tried to get her baby, finally appealing to the Legal Aid Society to help her.

A petition for a writ of habeas corpus was filed and the writ issued. On June 15 the matter was brought before Judge Jesse A. Baldwin and evidence heard in the case.

Mr. and Mrs. Leu said they had grown to love Odell as their own child and they had believed they were to be permitted to keep her. Mrs. Coppage recited the arrangement she claimed to have had when she permitted Odell to come to Chicago to her aunt and said that she earned \$5.40 a week herself; that she received \$3 weekly from the estate of her grandmother, and that an uncle who earns \$70 a month was going to live with her, so that she would be able to take care of both her children in a humble way, and she demanded that her baby girl should be given to her.

Odell, who is at the age when her friendship can be won with a stick of candy, when asked who she preferred to live with said she would rather stay with her aunt because "mother sometimes didn't have things to eat," and Judge Baldwin continued the case until July 15, permitting the mother to have the custody of the child until he should decide which was best fitted to have Odell.